

## REMARKS

### Pending Claims

Claim 1 is currently amended. Claims 1-14 and 48-49 are pending in this case, subject to rejoinder of eligible claims.

### 35 U.S.C. § 103 - *Douma* WO02/05372: Mistaken Reference to Figure 13:

In Remarks distinguishing *Douma* WO02/05372 presented in the prior response (January 24, 2007), Applicants mistakenly referenced "Figure 13 of the pending application" instead of properly referencing "Figure 13 of WO02/053721". The Examiner is kindly requested to note this error in his review of the prior submitted Response at page 14, 3rd full paragraph, reproduced below showing the error for the Examiner's convenience.

*WO02/053721 nowhere discloses in an enabling manner the generation and isolation of barley plants having a mutation in the LOX-1 gene causing a total loss of LOX-1 function. (null-LOX-1 barley plant). Rather, WO02/053721 describes mutant barley with reduced LOX-1 activity. The barely plants described in WO02/053721 retain at least 10% LOX-1 activity as compared to the wild-type enzyme. See, for example, page 17, lines 18-25 and ~~Figure 13~~ of the present application and Figure 13 of WO02/053721.*

### Conclusion

In light of the forgoing Amendment and Remarks, Applicant's respectfully assert the claims are in condition for allowance. Early notice of such allowance is solicited.


U.S. Patent Application Serial No. 10/800,200  
Response dated January 30, 2007  
Reply to Office Action of October 24, 2006

The Examiner is invited to telephone the undersigned attorney for clarification of any of these remarks and/or to otherwise speed prosecution of this case.

Respectfully submitted,

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